



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov



Arnold Schwarzenegger
Governor

Carl Moyer Program Advisory 08-001

Identification of Non-compliant Retrofit Labels During Post-inspection

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This Policy Advisory is to inform the districts that some non-compliant retrofit labels have been observed, and to provide direction to districts about appropriate procedures to follow if one is encountered during a post-inspection.

The 2005 and 2008 Carl Moyer Program Guidelines require districts to conduct post-inspections on all projects funded with the Carl Moyer Program. The 2008 Guidelines, Program Administration Section 31(b), outlines specifically that inspectors must collect the following information when conducting a post-inspection of a verified retrofit device:

- name of the manufacturer,
- diesel emission control strategy family name,
- product serial number, and
- month and year of manufacture, if available.

In accordance with the Air Resources Board's (ARB) Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines¹, the above information is required to be posted on both the retrofit device and the engine. The month and year of manufacture are not required to be listed on the retrofit label if this information can be readily obtained from the retrofit manufacturer by reference to the serial number.

If the retrofit device but not the engine is labeled with the above information, the district must notify the applicant that the label does not comply with the retrofit device labeling requirements identified above before making payment on the device. The applicant should be advised to contact the retrofit installer to correct the deficiency. The date and method of notification (verbal, e-mail etc...) must be kept in the project file.

If the retrofit device itself is not labeled with at least the first three items listed above, the district must report the label to Kathleen Mead at ARB at (916) 324-9550 or kmead@arb.ca.gov. Some alternate labels without these four items have been

¹ For more information regarding this regulation, visit
www.arb.ca.gov/diesel/verdev/reg/oalapprovedprocedurefeb07.pdf

previously approved by ARB. ARB will work with the district to determine if an alternate label has been approved. Once ARB informs the district in writing that the label has been approved by ARB, the district can make payment on the retrofit. ARB's e-mail or other written approval for the label must be kept in the project file. In these cases, the information on the alternate label must be included on the project post-inspection form. If the label has not had prior approval by ARB, payment may not be made on the device until a compliant label has been installed (this is typically the responsibility of the original retrofit device installer).

District requirements for these and other potential scenarios are summarized below:

- Both the device and the engine are properly labeled with the required items: No further actions needed with regard to device inspection or follow-up. District may make payment on the device.
- The device is labeled properly but the engine lacks a label: The district must inform the applicant that the engine must also be labeled. The district may make payment on the device once the applicant has been informed.
- The device is labeled but the label does not have the required items: The district must contact Kathleen Mead to determine if the alternate label has been approved by ARB. Once it gets ARB approval for the alternate label, the district may make payment on the device. If the alternate label has not been approved by ARB, the district may not make payment on the device until the label has been ARB-approved or a compliant label has been installed.
- No label is found on either the engine or the retrofit device: The district may not make payment on the device until a compliant label has been installed on both the engine and the device.
- The engine is properly labeled but not the device: The district may not make payment on the device until a compliant label has been installed on both the engine and the device.